DECISIONS PER CURIAM, ETC., FROM JANUARY 11, 1944, THROUGH APRIL 10, 1944.*

No. 209. UNITED STATES *v.* WATERHOUSE ET AL. Certiorari, 320 U. S. 723, to the Circuit Court of Appeals for the Ninth Circuit. Argued January 5, 6, 1944. Decided January 17, 1944. *Per Curiam.* Judgment affirmed by an equally divided Court. MR. JUSTICE JACKSON states that, the proceeding having been commenced, as the record shows, "under the instructions of the Attorney General" and the valuation for which the Government now contends appearing to have been fixed at the time when he held that office, he thinks it inappropriate that he should now participate in the determination of the case, notwithstanding he has no recollection of personal participation in the Departmental action. *Assistant Attorney General Littell*, with whom *Solicitor General Fahy* and *Messrs. Vernon L. Wilkinson* and *Roger P. Marquis* were on the brief, for the United States. *Mr. Herman Phleger*, with whom *Mr. A. G. M. Robertson* was on the brief, for respondents. Reported below: 132 F. 2d 699.